App. F. IX-4

Previous References

193 0 — 31
(Law)

File No. 123 — 3c
Serial Nos. 1 — 18

Later References
Law Dep no 156-32
Law 6.40 (10).

General and Revenue Secretariat.

Serial Nos. Eighteen

Part B for February 1932

SUBJECT.

C. S. no 14/30-31 on the file of the Dist. Judge Mysore, (Nagoobayamma V S Secy Dr S. L. I Commr

General and Revenue Secretariat | File No. 123 of 1930

Serial No.

Letr no 20248 dated 30th March 1931 from the Secy Mysore State Life Insurance Committee forwarding the entire file of papers together with Summons Connected with O.S. 14 of 30-31 on the file of the Dist. Judge Mysore (Nagoolayamma vs Secy Mysore State Life insurance Committee)

1) please Regr and put up a dft to ptr to appear for defts in the Case and take an adjournment to enable further instructions being given in the matter

(sd) VRJ

Dft put up accordingly

2) The Summons in original has to be returned to the Court duly signed by the defts The Summons now placed in the file does not Contain the Signature of the Secy S.L.I. Committee

Letter No. 541 dated 7.4.31 from the PPr. Mysore enclosing for signature a copy of the vakalatnama and requesting to send the file of Correspondence relating to the claim in order to prepare a W. St.

5) Vakalat form may be sent to the Secy M.S. L.A. Committee for necessary signature.

6) The details of the claim are detailed briefly in the insurance office note (vide flag 'P'). In view of the circumstances explained there in it is doubtful whether the Secy M.S. L.A Committee Can become a party to the Suit. The payment of the insurance Amount of the deceased Ranga Rao having been made duly to one Venkata Rao alias Punna Rao on production of a Succession certificate which by itself proves to be a valid title to the properties of the deceased, the liability on the part of the Insurance Committee

OFFICE OF THE SECRETARY
STATE LIFE INSURANCE COMMITTEE
App. F. III—2]
11. APR. 1931
BANGALORE.

Serial No.

in the proper Courts of law and establish their title and recover the Amount from the one who had already received it from the Insurance Committee on production of a valid title to the property of the deceased.

7) Sec'y M. S. L. A. Committee may also be requested to give definite instructions to the PPr in order to prepare a dft W.S. The file of the put up with this file may be sent to the PPr. as requested by him for orders

ISD 10/4

8) For favour of Signature — Vakalat nama —

Sec'y, Mysore State Life Ins. Committee.

MMP 10/4

9) The Vakalatnama is signed — returned herewith, with compliments.

To

The Pbr. Mysore

no. P 6605 d 17.4.31 returning the Kalatnama and requesting to prepare & submit for approval. dft. W.St.

Letter no. 620 dated 28th May/1921 from the Pbr. Mysore forwarding for approval dft. W.St. to be filed on 18.6.31.

Please put up ref[s], also Show the W. St. to the Deputy Sec[y] M.S.L.G. Committee (Mr. M.P. Bhoma Rao) and ascertain whether on 22.11.24 a letter was addressed to the Pbr as alleged in the pt - If so Please get the Copy of it.

This may remain } (Sd) M.R.J. 3/6
to remain to Hd. Grs (Sd) M.R.J

It is ascertained from the Dy. Sec[y] M.S.L.G. Committee that the letter dated 22.11.24 is only a reminder to surrender the Policy

General and Revenue Secretariat | File No. | of 193

Serial No.

16) Para 3 of the draft written statement is suitably revised. ~~If~~ The rest of the Statement is in order. If approved, Para 3 as revised will be inserted in the W.S. and sent to the Secy Life Ins for signature

Legal R^v

DMP
11/6

YR
APPA

DM.
12/6

17) For favour of Signature to the written statement (Hay V)

Secretary, Imperial State Life Ins. Comte

DMP
12/6

26372
Cancel file

18) Returned with compliments with the written Statement duly Signed

S. Shanmuve
Secretary
B-S-L-I

13/6

13/6/37

DM

Dft returning
DMP

To

The PPr. Mysore

No. P. 7819 dated 16.6.31 returning the with records.
W. St., to be filed on 18.6.31.

Telegram dated 16.6.31 from the PPr. Mysore requesting to send the W. St.

The W. St. along with the file of records is sent by Regd Post to-day. Ofc to the PPr. informing the same is put up.

TSD
17/6

Issue at once & resubmit.

(Sd) NRJ
16/4

Issued No. P. 7819 dt 16.6.31

Sus A
M. A

General and Revenue Secretariat | Laws File No. 123 of 1930.

Serial No.	
7	Letter no 453 dated 15.7.31 from the Pbr Mysore enclosing a copy of the reply filed by the Pff and intimating that the Case posted to 20.7.31 for filing dft issues. Copy of the issues may be awaited Submd for perusal. ISD 17/7 17.7
8	Letter no 71 dated 20.7.31 from the Pbr Mysore enclosing a Copy of the issues filed by the 1st Def and intimating that the Case posted 22.7.31 for framing issues. further report may be awaited. for perusal Sec B. ISD 22/7 22/7

to me Mr. Rose is put up accordingly

Draft is for approval & orde

Chief Secy) 27.7.31

27/7/31

Forwarded with compliments to the
Secretary, Mysore State Life Insurance Committee
for perusal & return

P.O.

D.N. Jyotishi
Dy. Secy. to Govt
16/12/31

Seen & returned with compliments

K. Hanumanna
Secretary 17/12

17/12/31

10)

File No. of 193 | General and Revenue Secretariat

The file of papers received from the Secy M.S.L.D. Committee was sent to the Pr. Mysore for reference. Dft R calling for a copy of the judgement with records may be approved.

Secy M.S.L.D. Committee may also be informed that the records in question would be returned in due course as soon as they are received from the Pr Mysore. Dft is also put up accordingly.

ISD 13/1

Issue dft to Pr as revised

Copy to Secy, Mysore State Life Ins

DNP 15/1

Issued vide P. 3956 d 16.1.32

P 34 6/2 (11

General and Revenue Secretariat | File No. | of 193 | [App. F. III—2

Serial No.	
	as ~~Clearly~~ provided in Section 16 of the Succession Certificate Regn: The records received from the Pr. may perhaps be returned to the Secy M. S. L. D. Committee, with a Copy of the Judgment requesting him to take necessary action to recover the Costs awarded, in Consultation with the Pr. Mysore. Pr's bill may also be returned for Submission after getting it Countersigned by the Secy M. S. L. D. Committee. 2 Dfts are put up for Consd & approval ISD 3/2 Issue the draft to the Secy Mysore S.L.D. Committee 4407 7 6/2/32 MP 4/2
16.	
17	From, The Secy M. S. L. D. Committee No. 1456 dated 11.2.32 informing that Pr. Mysore has been instructed to recover the Costs awarded in the Case, and returning the ~~Pr~~ bill of Pr duly Countersigned.

3690

File No. of 193 | General and Revenue Secretariat

To,

The Pr. with the bill

see ? M.S.L.D. Committee

Comptroller.

G.O. No P. 4727-9 Fin 173-30-18 dated 12-2-32

returning his bill for Rs 9/ being his remuneration

the papers received in O.S. 14/3031, on the file of

Dist. Judge. Mysore.

4651 P.F.

C 20]

OFFICE OF THE SECRETARY,
MYSORE STATE LIFE INSURANCE COMMITTEE.

20248 / on 1 file of 104 papers Bangalore, dated 30th March 192 1931

6143 / F

~~S. SHAMANNA, ESQ., B.A.,~~
The *Secretary, Mysore State Life Insurance Committee,*
Bangalore.

Leave 123-30-1

To

Rajasevaparayana
B. Srinivasa Iyengar, Esq., B.A., B.L.,
Financial Secretary to the Government
of His Highness the Maharaja of Mysore,
Bangalore.

SIR,

Adverting to correspondence ending with your letter No.Fl. 8221/Gl. dated the 18th June 1930, I have the honour to forward herewith the duplicate of the Defendant's summons with a copy of the Plaint since received from the District Judge, Mysore and to request that the matter may be placed in the hands of the Secretary to Government, Law Department for such action as may be deemed necessary under Rule 7 for the conduct of the legal affairs of Government. As the date of hearing has been mentioned as 4-4-1931 the entire file of papers relating to the case is herewith submitted, to avoid delay.

Appendix F G—1

SUBJECT.....

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Section Law

File No. 123 - 30.

Serial No. 2

No. J 6323 (2)

To

The PPR Mysore

Sir,

I am directed to forward herewith a copy received with the Summons of the plaint in O.S. 14 of 1943 on the file of the Dist. Judge Mysore (Nagobayamma vs Secy Mysore State Life Insurance Committee) and to request you to appear for the defendant on 4.4.43 the date to which the case is posted for 4th and to obtain an adjournment

over

3)

to enable further instructions being given in the matter,

the date to which Case will be adjourned / on the 4th April

(4

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore,.....

No.

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To The public prosecutor,

Mysore Division.

Sir,

I am directed to return herewith duly signed by the Secretary, M.S.L.A. Committee, the Vakalatnama to be filed in O.S.14 of 30-31 on the file of the District Judge Mysore (Nagoobaiyamma Vs. Secretary, M.S.L.A. Committee), forwarded with your letter No. 541 dated 7th April 1931.

The entire file of correspondence relating to the claim is herewith enclosed for prepating and submitting for approval a draft written statement after obtaining further instructions if necessary from the Secretary M.S.L.A. Committee.

I have the honour to be,
Sir,
Your most obedient servant,

M Narasimha Rao

For L.R.V.
Secy.to Govt., Law Dept.,

ISD

(S 4785 p 830

Laserr 12 3-3 Cri. 3

192

From

The Public Prosecutor,

Mysore Division,

Mysore.

To

The Secretary to the Govt.

of H.H.the Maharaja of

Mysore, Law Department,

Dated 7-4-31. Bangalore.

Despatched 7-4-31.

Received

General No.

No. 541.

Enclosure No. one.

Sir,

I have the honour to enclose for the signature of the Secretary, Mysore State Life Assurance - - Committee, a form of vakalatnama to be filed in O. S. 14 of 30-31 (Nagoo Boyamma Vs Secretary, M. S. L. A. Committee & another) on the file of the District Judge, Mysore, and to request that it may be duly signed and returned.

The file of correspondenc relating to the claim may be forwarded to this office to enal me to prepare the draft written statement and submit it for your approval.

I have the honour to
Sir,
Your most obedient ser

K Ramachandra Rao

Public Prosecutor
Mysore Division.

Apnendix F G

SUBJECT.....

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Section Secret

File No. 123-30

Diary No. of letter replied to.....

Serial No. 4

No. 6689

General and Revenue Secretariat

( )

the *193*

To

The PPr. Mysore

Date of issue 17-4-31

Sir,

Signed by Mr. Ns Iyengar

I am directed to return herewith duly signed by the Secy. M. S. L. A Committee the Vakalatnama to be filed in O.S. 14 of 30-3 on the file of the Dist. Judge Mysore (Ragoobaiamma vs Secy M. S. L. A. Committee) forwarded with your letter no 541 dated 7.4.31

The entire file of correspondence relating to the claim is herewith enclo

7)

and submitting for approval

for preparing a dft w.s. after

obtaining further necessary instructions from

the Secy M.S.L.A. Committee.

~~The Secretariat file may~~

~~kindly be treated as Confidential~~

~~and returned when no longer required.~~

I have etc

ISD
13/4

L.R

No. 6690 dy 17-4-

Copy to Secy M.S.L.A Committee

for info

No.622./Encls.3 files. Mysore, dated 28th May 1931.

From

The Public Prosecutor,

Mysore Division,

Mysore.

To

The Secretary to the Government

of His Highness the Maharaja of Mysore,

Law Department, Bangalore.

Sir,

With reference to your letter No.P.6323/Law 22.30 dated 1-4-31 forwarding copy of plaint etc., in O. S. 14 of 30-31 (Naggobayamma Vs Secretary, Mysore State Life Insurance Committee and another) on the file of the District Judge, Mys I have the honour to submit for your approval draft written statement to be filed in the said suit. The case is adjourned to 18-6-1931 before which date the draft may be approved and returned to this office duly signed by the Secretary, Mysore St Life Insurance Committee. Copy of plaint, and the records rec from the Secretary to the M. S. L. I. Committee are also submitted herewith. The records may be returned for being filed (in sealed cover) with the written statement.

Office copy of letter dated 22-11-1924 referred to in paragraph 4 of the plaint is not traced in the file.

Copy of written statement filed by the second defendant i enclosed for reference.

I have the honour to be,

S i r,

Your most obedient servant.

Public Prosecutor,

Mysore Division.

hsv. T.S.D.
Please put up refer.
(Also show the W.S. & the
Deputy secy, H.S.L.I. Case.
(sri M.P. Shivakoti) & ascertain
whether the 22.11.1924 a letter
was addressed to the Pff as
alleged in the Plaint. If so
please let the copy of it.
216

Spare copy to be placed on the Secretariat file.

In the Court of the District Judge, Mysore.

O. S. 14 of 30-31.

Nagoobayamma — Plaintiff:

Vs

1. Secretary, Government Life Assurance Committee, Bangalore.
2. Venkata Rao alias Puttu Rao — Defendants:

Written statement filed by the first defendant herein is as follows:-

O.VIII, R.1, C. P. C.

The first defendant abovenamed begs to state as follows:-

1. It is true that the late C. Ranga Rao was the holder of Policy No.22702 and R. B. Certificate No.8000.

2. This defendant is not aware of the oral ill referred to in paragraph 2 of the Plaint, and he puts the Plaintiff to strict proof of the same if it is necessary to prove it in the present suit.

It is true that the Plaintiff applied to the Committee on 12-9-1924 claiming payment of the money due under the aforesaid policy. Since the claim could not be considered on the surrender of the policy, the Plaintiff was informed in the letter dt. 20-9-1924 that she may surrender the Policy and the R. B. Certificate. But the letter said to have been addressed to the Plaintiff on 22-11-1924, and when no reply was received from till

Consequently a Reminder was issued to expedite the disposal of the claim.

~~and referred to in paragraph 4 of the plaint is not admitted.~~

4. It is true that this defendant wrote the letter dated 8-1-1925 alluded to in paragraph 6 of the plaint.

5. As there were contesting claimants for the money due under the policy, Succession Certificate by a competent court was insisted upon before payment could be authorized. The second defendant sent the Succession Certificate granted in his favour on 13-6-1927. The Certificate empowered the grantee (the second defendant) -to collect the money now sued for.

6. It is admitted that the Plaintiff addressed a petition to this defendant on 18-6-27 stating " that since the case for heirship certificate has not yet been settled in the Court of Appeal " and requesting " to delay payment to anybody until it is finally settled in the above Court". The Plaintiff was in reply informed on 22-6-1927 that " payment of the amount cannot be delayed unless a prohibitory order is received from the Court where the appeal is pending."

7. As the second defendant was then the holder of the Succession Certificate, payment to him was duly authorized on 23-6-1927, and the payment was actually made on 28-6-1927. The correspondence referred to in paragraphs 9 and 10 of the plaint is admitted.

8. The prohibitory order issued by this Hon'ble Court in Mis: Appeal No.59 of 26-27 was received on 6-7-1927.

9. Allegations made in Paragraphs 13, 14, 15, 16

and 17 are not correct. This defendant made no " representations " to the Plaintiff when the Policy and the R. C. Certificate were asked to be " surrendered for necessary action The certificate granted to the second defendant was not an ' interim certificate It was open to the Plaintif to have moved this Hon' ble Court for the issue of a prohibitory order before payment was authorized in favour of the second defendant who was the holder ~~of the~~ for the time being of a valid Succession Certificate. This defendant was not bound either in law or equity to delay payment in anticipation of a probable appeal and the issue of a prohibitory order from the appellate court.

10. Paragraph 11 o the plaint merely refers to the order of the District Judge in His: Appeal No. 50 of 26-27 directing the issue of the Succession Certificate in favour of the Plaintiff. There is no averment in the plaint that the certificate has actually been obtained by the laintiff. Unless and until the plaintiff roduced the certificate she was not entitled t ile this suit, and the suit filed withou t actua btaining the certificate is not maintainable. he plaintiff has not produced the certificate court along with the plaint.

11. It is learnt that the second defendant has led O. S. 417 of 30-31 on the file of the First ntiff, Kyrore, for a declaration of title to e amount claimed by the Plaintiff in this suit, d the said suit is pending. The order passed this Hon'ble Court in His: Appeal No. 50 of -27 is liable to be confirmed or superseded in

in the regular suit wherein the question of title to the late G. Ranga Rao's assets will be decided.

12. It is not admitted that the cause of action for the suit claim arose on 12-8-1929. The cause of action, if any, arose on the date of payment to the second defendant viz: 28-6-1927. The appropriate article applicable to the case is 36 or 115 of the Limitation Regulation. The present suit was filed in March 1931. The suit is therefore barred by time.

13. Notice of suit under Section 80 C. P. C. is admitted.

14. In any event the Plaintiff cannot seek any relief from this defendant for the alleged wrongful payment of the claim to the second defendant.

The first defendant therefore prays that the suit may be dismissed with costs.

Secretary,
Government Life Assurance
Committee, Bangalore.

I, Mr. the first defendant abovenamed do solemnly affirm that the facts stated above are all true to the best of my knowledge and belief.

Secretary,
Government Life Assurance
Committee, Bangalore.

Appendix F G–1]

SUBJECT.....

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Section Law

File No. 123.30.

Serial No. 6

Diary No. of letter replied to.....

No. 7814 /Encl. Regd Post

To

The PPr. Mysore

General and Revenue Secretariat

( )

the *193*

Date of issue 16.6.31

Signed by Mr. Jaya Rao

Sir,

I am directed to return herewith duly signed by the Secy M.S.L.G. Committee the W St. to be filed in O.S. 14 of 30-31 on the file of the Dist. Judge Mysore (Nagooba yamma vs Secy M.S.L.G. Committee), on 18.6.31, forwarded with your letter no 622 dated 28th May 1931. Govt may be kept informed of the ~~further~~ progress of the Case ~~may kindly be intimated~~ as usual

I have

List of enclosures.....

Copied by 16/6

Examined by.....

for S.R.T.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 7814/Encl (Regd Post) Dated, Bangalore, ~~13th June 1931~~.

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Public Prosecutor,
Mysore.

Sir,

I am directed to return herewith duly signed by the Secretary Mysore State Life Insurance Committee the -- written statement to be filed in O.S. 14 of 30-31 on the file of the District Judge Mysore (Nagoobayamma Vs Secretary Mysore State Life Insurance Committee, on 18th June 1931 forwarded with your letter No.622 dated 28th May 1931. Government may be kept informed of the further progress of the case as usual.

I have the honor to be,
Sir,
Your most obedient servant,

For Legal Remembrancer and

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

5832-230
P 30
29

C. INDIAN POSTS AND TELEGRAPHS DEPARTMENT

NOTICE.
This form must accompany any inquiry made respecting this Telegram.

Charges to pay. Rs. As.

Office Stamp. CALCUTTA G.P.O. 16 JUN 31

Handed in at (Office of Origin.)	Date.	Hour.	Minute.	Service Instructions.	Words.
C	16	6	5	9	46

TO Secretary Bengal Govt

Recd. here at H. M.

Please allow Mr Bhattacharjee to appear on behalf of Government in the Bail Committee case fixed for Thursday 16/6/31 at 11 a.m. Public Prosecutor

Appendix F G–1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 16/6/31

Signed by Mr Iyengar

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No.

No. 7819

To

The PPr. Mysore

Sir,

With reference to your telegram dated 16.6.31. I am directed to state that the W. St. along with the file of records in O.S. 14/30-31 on the file of the Dist. Judge, Mysore, ~~to be~~ (Nafoobayamma & Insurance Committee) ~~filed on 16.6.31~~ is sent by Regd Post today and to request that the same may kindly be acknowledged.

I have etc

PM
16/6 for D.R.

ISD
16/6

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 7819

Dated, Bangalore, 16th June 1931

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Public Prosecutor,

Sir, Mysore.

With reference to your telegram dated 16th ~~September~~ June 1930, I am directed to state that the written statement along with the file of records in O.S. 14/30-31 on the file of the District Judge Mysore, (Nagoobayamma Vs Secy Insurance Committee) is sent by Registered Post today and to request that the same may kindly be acknowledged.

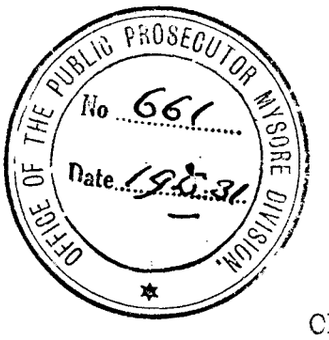
I have the honor to be,

Sir,

Your most obedient servant,

For Legal Remembrancer and
Secretary to Govt. Law Dept.

TSD



OFFICE OF THE PUBLIC PROSECUTOR, MYSORE DIVISION.

Progress Report for 19-6-1931.

Submitted to the Legal Remembrancer,

Bangalore.

District Judge's Court, Mysore.

O. S. 14 of 1930-31

(Nagoobayamma Vs Secretary, M.S.L.A.Committee)

Defence filed.

Adjourned for Plaintiff's reply to 20-6-1931.

Subordinate Judge's Court, Mysore.

O. S. 47 of 1925-26.

(Siddaramanna Vs Mysore Railways)

Defendant's arguments partly heard.

Adjourned to 19-6-1931.

Court of Session, Mysore Division.

Cr. Mis: Appeal 5 of 1930-31.

(Karigirayya Vs Government)
and others

Cr. Mis: Appeal 6 of 1930-31.

(Kundi Hutchiah Vs Government)
and others

Adjourned to 4-7-1931.

Letter no 608 dated 29-6-31 from the Pr. Mysore to the Chief Sec.y

District Judge's Court Mysore.

O.S. No. 14 of 1930-31

Nagabhayamma vs Sec.y M.S.L.G. Commrs

for Pr.y's reply

Adjourned to 13.7.31

OFFICE OF THE PUBLIC PROSECUTOR, MYSORE DIVISION, MYSORE.

Progress Report for 13.7.31

Law /23.30.7

Submitted to the Chief Secretary to the Government of

H. H. the Maharaja of Mysore.

(Law Section).

1 District Judge's Court, Mysore

O. S. 14 of 30-31

Nagoorbayamma & Secretary, Insurance Committee
And another.

Plaintiff's Reply filed.

Don filing draft issues

20.7.31.

Copy of Reply Enclosed

City Magistrate's Court, Mysore.

C. C. 539 of 27-28

Govt. by Venkata Raghavayya & another

Accused say that they have filed a Revision petition against the legality of the Charges framed and that the petition is posted for admission. Hence adjourned to 12.8.31

for Ramachandra
Public Pro

IN THE COURT OF THE DISTRICT JUDGE AT MYSORE.

O.S.No. 14 of 1930-31.

Plaintiff.		Defendants.
Nagubayamma	Vs.	1. The Secretary, Life Assurance Committee, Mysore State, B'lore.
		2. Venkata Rao alias Puttu Rao.

Reply to 1st Defendant's Written Statement.

1. The plaintiff submits that the question of the oral will need not be gone into in the present suit as it was a matter between the plaintiff and the 2nd defendant and the matter has been finally disposed off in favour of the Plaintiff in the High Court.

2. As the 1st defendant rightly admits the contention of the plaintiff on all material points as in paras 3, 4, & 6 of his written statement, he ought to have waited till the appeal time of one month was over and or waited for the reply of his letter of 22-6-1927 at least for a reasonable time.

3. As admitted by the 1st defendant in para 7 of his W.S., plaintiff is unable to understand what made the 1st defendant to authorise payment on 23-6-1927 even before his letter of 22-6-1927 reached the plaintiff. The ~~plaintiff~~ 1st defendant has therefore to explain where was the urgency or necessity for such a hasty action, unless it was undue preference shown to the 2nd defendant.

4. The plaintiff denies that allegations made in para

9 of the

9 of the 1st defendant was certainly bound by law, as also, by equity to abide by the decision of the appellate Court, when due intimation that an appeal has been filed had been given to the 1st defendant on 18-6-1927 alone , and even - cautioning him the amount should not be paid till the disposal of the same. The plaintiff has moved this Hon'ble Court and a stay order has been passed.

5. The allegations in para 10 are inconsistant with those in other paras: as he admits that the amour
been paid to 2nd defendant and that the amount would not be paid to the plaintiff.

6. After knowing full well, the moneys have been wrongl
out. it was not necessary to obtain a certificate which would have given her no relief. Her suit is maintainable, without the certificate. If the 1st defendant is ready and willing to make the payment on the production of the certificate, the plaintiff is ever ready to do so.

7. The suit O.S.No. 417 of 50-51 on the file of the First Munsiff, Mysore, has no reference to the amounts claimed by the plaintiff in the present suit and hence no reply is required for those allegations in para 11 of the W.S..

8. The suit has been properly filed and is in time. The cause of action stated in the plaint is correct.

9. The plaintiff does not admit the truth of any other allegations found in the written statement and not specifically traversed in the plaint and this reply.

10. By the 1st defendant's inequitable and hasty actior the plaintiff has been put to so much loss and worry. Therefore the plaintiff prays that this Hon'ble Court ma be pleased to pass a decree as prayed for.

Progress Report for 20th July 1931 submitted to the Chief Secretary to the Government of His Highness the Maharaja of Mysore, Law Section, Bangalore.

District Judge's Court, Mysore.

(1) O.S.No. 14 of 30-31.

Nagoobayamma Vs. Secretary, Insurance Committee and another.

Draft issues filed by 1st defendant. For framing of issu adjourned to 22-7-1931.

N.B. Copy of draft issues enclosed.

(2) O.S.No. 2 of 30-31.

S.Narasinga Rao Vs. Chief Secretary and 3 others

Plaintiff not ready, adjourned to 16-9-31.

In the Court of the District Judge, Mysore.

O.S. 14 of 30-31.

Nagubayamma. Vs. Secretary Insurance Committee.

Draft issues submitted by the 1st defendant.

1. Did the 1st defendant induce the plaintiff by representations to surrender Policy No: 22702 and the R.B. certificate No: 8900 of the late G.Ranga Rao and assure her that payment thereunder would be made to her if she surrendered the said policy and the Certificate?

2. Was not the 2nd defendant competent to claim and receive payment of the insurance amount due on the above policy and certificate in presenting to the 1st defendant the Succession Certificate granted to him by the Subordinate Judge of Mysore in Mis. 124 of 24-25.

3. Was the 1st defendant legally bound to withhold payment to the 2nd defendant in anticipation of a prohibitory order from the appellate court?

4. Was the payment made by the 1st defendant to the 2nd defendant wrong and invalid and is the 1st defendant liable to make good the amount to the plaintiff?

5. Can the plaintiff maintain this suit without actually obtaining Succession Certificate for the grant of which an order was passed in her favour in Mis.Appeal No: 59 of 1926-27 on the file of this court?

6. What is the cause of action as against the 1st defendant and when did it accrue?

7. Is the claim against the 1st defendant barred by time?

8. To what relief, if any, is the plaintiff entitled

entitled and from which defendant?

Copy

K Ramadoss

Advocate for the 1st defendant.

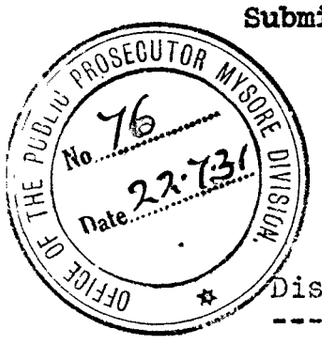
OFFICE OF THE PUBLIC PROSECUTORm, MYSORE DIVISION, MYSORE.

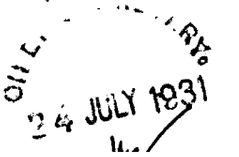
Progress Report for 22-7-1931.

Submitted to the Chief Secretary to the Government of

H, H. the Maharaja of Mysore.

Z Law Section) Prom (Law)





District Judge's Court, Mysore.

O. S. 14 of 1930-31.

(Nagoobayamma Vs Secretary, M.S.L.A.Committee)

For issues 23-7-1931.

Public Prosecutor,

Mysore Division.

Subd for perusal

OFFICE OF THE PUBLIC PROSECUTOR, MYSORE DIVISION.

Law Sec.

25 JULY 1931

Progress Report for 23-7-31.

Submitted to the Chief Secretary to the Governme
of His Highness the Maharaja of Mysore,
Law Section, Bangalore.

District Judge's Court, Mysore.

O. S. No. 14 of 1930-31.

(Nagoobayamma Vs Secretary, M. S. L. I. Committee)

Issues framed (copy enclosed)

Posted for evidence on 21-9-1931.

IN THE COURT OF THE DISTRICT JUDGE, MYSORE.

O. S. NO. 14 of 30-31.

Nagoobayamma Vs Secretary, M. S. L. I. Committee.

Issues.

1. Can the plaintiff maintain this suit without actually obtaining the Succession Certificate for the grant of which an order was passed in her favour in Mis:Appeal No. 59 of 26-27 on the file of this Court ?

2. What is the cause of action against the first defendant and when did it accrue ?

3. Was the payment made by the first defendant to the second defendant invalid and is the first defendant liable to make good the amount to the plaintiff ?

4. Is the claim against the 1st defendant barred by time ?

5. What relief, if any, is plaintiff entitled to ?

Sd. K. S. N. Rao.

D. J.

" True Copy "

K Ramaswamy

Public Prosecutor,

Mysore Division.

Appendix F G–1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

Date of issue 29/7/31

Signed by M Rm

Section Law

File No. 123. 30.

Serial No. P626 10

No.

To The PPr. Mysore.

Sir,

With reference to your letter no. 79 dated 23. 7. 31 forwarding a copy of the issues framed in O.S. 14 of 30-31 (Nagavarayamma vs Sec. of M. S. L. & G. Co.) on the file of the Dist. Ct. Mysore, & intimating that it is for evidence ~~stands~~ posted to 21. 9. 31

I am directed to state that all the issues are issues of law and could be

The Public Prosecutor,

Mysore Division.

With reference to your letter No.79 dated 23rd July 1931 forwarding a copy of the issues framed in O.S. 14 of 30-31 (Nagoobayamma Vs. Chief Secretary, M.S.L.I.Committee) on the file of the District Court Mysore, and intimating that it stands posted for evidence to 21st September 1931, I am directed to state that all the issues are issues of law and could be disposed of on hearing --- arguments. There appears to be no disputed facts in this case, so far as Government is concerned, on which evidence is to be let in.

I have the honour to be,

Sir,

Your most obedient servant,

for Chief Secretary to Government.

Office of the Public Prosecutor, Mysore Division.

Progress Report for **21-9-1931.**

Subritted to the Chief Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Section, Bangalore.

District Judge's Court, Mysore.

O. S. No. 14 of 1930-31.

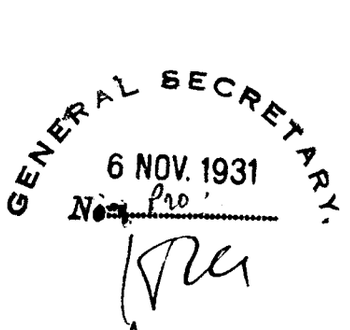
(Nagoobayamma Vs Secretary, M. S. L. A.Committee)

Judge at Hassan for Sessions.

Hence adjourned to 4-11-1931 for evidence.

T Ramaswamy

Public Prosecutor,
Mysore Division.



6/11/31

Office of the Public Prosecutor, Mysore Division.

Progress Report for 4-11-1931.

Submitted to the General Secretary to the Government of His Highness the Maharaja of Mysore, Law Section, Bangalore.

---

1. District Judge's Court, Mysore.

O. S. No. 14 of 1930-1931.

(Nagoobayamma Vs Secretary, M.S.L.A.Committee)

Plaintiff examined one witness and closed.
First defendant examined the second defendant as his witness and closed.
First defendant wants to file copies of prohibitory notice etc.
Adjourned for arguments to 18-11-1931.

2. City Magistrate's Court, Mysore.

C. C. No. 330 of 1930-31 (Lottery Case)

(Government Vs Mr. B. Narasmiha Iyengar & others)

Adjourned on account of Mr. Sundara Rao's illness to 4/5-12-1931.

T Ramachandra Rao

Public Prosecutor,
Mysore Division.

OFFICE OF THE PUBLIC PROSECUTOR, MYSORE DIVISION.

Progress Report for

Submitted to the General Secretary to the Government
of His Highness the Maharaja of Mysore,
Law Section, Bangalore

District Judge's Court, Mysore.

O. S. No. 14 of 1930-31.

(Nagoobayamma Vs Secretary, M.S.L.A.Committee & another)

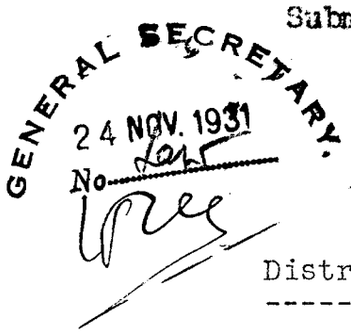
Arguments heard.

Reserved for Judgment on 21-11-1931.

Public Prosecutor,
Mysore Division.

OFFICE OF THE PUBLIC PROSECUTOR; MYSORE.DIVISION.

Progress Reprot for 21-11-1931.



Submitted to the General Secretary to the Govt.
of His Highness the Maharaja of Mysore,
Law Section, Bangalore.

Law 123.30.11

District Judge's Court, Mysore.

O. S. No. 14 of 1930-31.

(Nagoobayamma Vs Secretary, M. S. L. A. Committee & another)

Suit as against the first defendant dismissed with costs.

Public Prosecutor,
Mysore Division.

Appendix F G—1]

SUBJECT .....

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Section Land

File No. 123.30.

Serial No. 12

Diary No. of letter replied to .....

No 3425

To The PPr Mysore

Sir,

With reference to

Your letter no 366 dated 22.11.31

intimating that O.S. 14/30-31 on the

file of the Dist. Judge Mysore

(Nagoobayamma vs Secy M.S.L.A.

Committee & another) was dismissed

against the 1st Defendant with Costs

I am directed to request

that a certified Copy of the judgment and

decree may kindly be obtained

and sent for information of

Govt early.

I have etc

General and Revenue Secretariat

( )

the *193*

Date of issue 26/12/31

Signed by M. Ry

HD 24/12

pp 24/12 for Ch. Sec

3236
Jl

Subd

This may be sent to Probate
Branch in continuation of
Jl D.No.6143 dt 30-3-1931
for expediting the file.

Asst
12/1/32

Asst: Bor with
compliments

AM/ D 6143 dt 30-3-31

O. 201

(36 305 4-7/31 P 731

FINANCIAL SECRETARY 7 JAN.

OFFICE OF THE SECRETARY,
MYSORE STATE LIFE INSURANCE COMMITTEE.

Bangalore, dated 6th January 1932

6

FROM

S. SHAMANNA, Esq., B.A.,
Secretary, Mysore State Life Insurance Committee,
Bangalore.

FINANCIAL BRANCH - 8 JAN. 1932 3236 GENL. & REV. SECTT.

Law 123.30.13.

To

Rajasevaparayana

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Financial Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

SIR,

I have the honor to request you to kindly cause the return of the entire file of papers sent to you with this office No.20248 dated 30-3-31. A copy of the judgment in O.S.No.14 of 1930-31 of the District Judge, Mysore, (Nagoobayamma Vs Secretary, M.S.L.I. Committee) may also be kindly obtained and forwarded to this office.

It is presumed that action for the recovery of the costs has been taken.

I have the honor to be,

Sir,

Your most obedient servant,

Ag. Deputy Secretary,
Insurance Committee.

DS 9/1.6/1

192

From The Public Prosecutor,
Mysore Division,
Mysore.

To The Chief Secretary
to the Government of His
Highness the Maharaja
of Mysore, Law Sec.
Bangalore.

Dated 29-1-1932.

Despatched 29-1-1932.

Received

General No.

Law 123.30.24

No. 544

Enclosure No. 1 file.
1 copy of
Judgment.

Sir,

In due compliance with your letter No.P.3956/Law dated 16-1-1932 calling for copy of Judgment in O. S. 14 of 30-31 (Nagoobayamma Vs Secretary, M.S L.A.Committee) on the file of the District Judge, Mysore, and the records sent with your letter No.7819 dated 16-6-31, I have the honour to submit the same herewith.

The delay in the despatch of the above records was due to the fact that copy of Judgment was not received till to-day though the application was filed on 27-11-1931.

The papers extracted from the file of records have been

exhibited in the suit and will be transmitted in due course when they are returned after appeal time expires. But in all probability there will be no appeal from the Judgment of the District Judge in this

I have the honour to be

S i r,

Your most obedient servant.

K Ramadas

Public Prosecutor,

Mysore Division.

39 — 3450 — p. 1

SPB

192

From

The Public Prosecutor,

Mysore Division,

To Mysore.

The Chief Secretary to the Government of H.H.the Maharaja of Mysore, Law Sec. Bangalore.

Dated 29-1-1932.

Despatched 29-1-1932.

Received

Law 123.30-1

General No.

No. 546.

Enclosure No. 1 bill.

Sir,

I beg to submit countersigned bill for Rs.50/- for legal remuneration due to me for conducting O. S. 14 of 1930-31 (Nagoobayamma Vs Secretary, Mysore State Life Assurance Committee, Bangalore and another on the file of the District Judge, Mysore, and to request that the amount claimed therein may be ordered to be paid early.

I beg to remain,

S i r,

Your most obedient servant

K Ramaswamy

Public Prosecutor,

Mysore Division.

Appendix F G—1]

SUBJECT .....

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.....

Section D"

File No. 123-31

Serial No. 16

Diary No. of letter replied to .....

No 4407 one Records

To The Secretary

M. S. L. G. Committee, B'L

General and Revenue Secretariat

( )

the *193*

Sir,

I am directed

Date of issue 6/2/32 to forward herewith the entire

records together with a copy

of the Judgment in O.S. 14/30-31

on the file of the Dist. Judge, Mysore

(Nagabhyamma vs Secy. M. S. L. G.

Committee) and to request

that necessary action may kindly

be taken in Consultation with

Signed by M' N.Y.

for

~~his remuneration from~~ professional

Services rendered in the Case, and

to request you ~~to point out the~~ Source ~~to which it may be debited~~ as required by rule 58 of the Legal Affairs Rules and to point out the Source out of which the expenses have to be met —

return the same after due countersignature

~~I have~~

Yours etc.

~~Yours etc.~~

KD
8/12

M. S. L. I.
O. 20.

MYSORE STATE LIFE INSURANCE OFFICE.

Tel. Address :—'INSEC'

In reply
please quote—
No. 15456
Encl. 1 Bill.

BANGALORE,

Dated, the 11th February 32

Law 123.30.17

FROM

~~S. SHAMANNA, ESQ., BA.,~~
The
Secretary, Mysore State Life Insurance Committee,
Bangalore.

To

N. Madhava Rao Esq., B.A., B.L.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Through

Rajasevaparayana
B. Srinivasa Iyengar, Esq., B.A., B.L.,
Financial Secretary to the Government of Mysore,
Bangalore.

SIR,

In acknowledging the receipt of the entire records together with a copy of the judgment in O.S.No.14 of 1930-31 on the file of the District Judge, Mysore, (Nagoobayamma VS Secretary, Mysore State Life Insurance Committee) sent with your letter No.4407 (One and Records) dated 6-2-1932, I have the honor to report that a reference has this day been made to the Public Prosecutor, Mysore, in the matter of the recovery of costs awarded in the case.

The bill of the Public Prosecutor, Mysore for Rs.50/- (Rupees fifty only) received with your letter under reply is herewith returned duly countersigned with the debit head noted thereon.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Secretary,
Insurance Committee. 11/2/32

G.R.S. App. F VI—G 2]

SUBJECT .....

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Diary No. of letter replied to .....

Section Law

File No. 123-30

Serial No. 18

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 22/1/1932

Signed by M' Rao

Read—

Letter no. 846 dated 29.1.32 from the Pfr. Mysore forwarding for Sanction a bill for Rs 50/- being his remuneration for professional Services rendered in O.S. 14/30-31 on the file of the Dist. Judge. Mysore ~~Order thereon.—Pro~~

(Rajopadyayamma vs Sec: M.S.L.I. Committee).

2. Letter no. 1574/56 dated 11th Feb'y 1932 from the Sec'y M. S. L. I. Committee returning the bill duly Countersigned for Rs 50/-, with the debit head (S. a. State Life Insurance fund)

.....y this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

44

Noted thereon

order: 4727-9(1)

Sanctioned

MOP

19/2 Ch. Sec.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read:-

Letter No.546 dated 29th January 1932 from the Public Prosecutor, Mysore forwarding for sanction a bill for Rs.50/- being his remuneration for professional services rendered in O.S.14/30-31 on the file of the District Judge, Mysore.

(Nagoobayamma Vs. Secretary, Mysore State Life Insurance Committee)

2. Letter No.15456 dated 11th February 1932 from the Secretary, Mysore State Life Insurance Committee returning the bill duly countersigned for Rs.50/- with the debit head (T.a. State Life Insurance Fund) noted thereon.

Order No P 4727-9 Law /23.30 18

Dated Bangalore, the 20th February 1932.

Sanctioned.

M.V. Rao

Chief Secretary to Government.

TSD

To

The Public Prosecutor, Mysore with the bill.

" Secretary, Mysore State Life Insurance Committee.

" Comptroller to Government.